

REMARKS/ARGUMENTS

The Office action mailed on October 20, 2007 has been reviewed and carefully considered. Reconsideration of the application is requested in view of the amendments to the claims, remarks below, and affidavit under 37 CFR 1.132 submitted herewith.

Claims 1-9 are pending in this application. Claim 10 has been canceled. Claims 1 and 7 are the only independent claims.

Rejections under 35 U.S.C. § 102

The rejection of claim 10 under 35 U.S.C. § 102 is moot since claim 10 has been canceled.

Rejections under 35 U.S.C. § 103

Claims 1-9 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over US 5,720,046 to Lopez et al. in view of US Pub No: 2002/0169357 to Chen.

With regard to claims 1 and 7, Applicant traverses the art rejections applied to claims 1 and 7 at least because the applied references, whether taken alone or in combination, do not disclose or suggest the limitation specifically recited in claim 1 as "... the meridian system is promoted by attaching the small bar magnet to the skin such that the direction of flow of a magnetic force of the magnet is the same as the direction of flow of the meridian system, or the meridian system is inhibited by attaching the small bar magnet to the skin such that the direction of flow of a magnetic force of the bar magnet is opposite to the direction of flow of the meridian system."

In fact, the Office action dated October 30, 2007 does not even mention about the direction of flow of a magnetic force of the magnet being the same as claimed in claim 1. Thus, every step claimed in claims 1 and 7 have not been addressed in the Office action.

In the art of modulating the human meridian system using a small bar magnet, it would not have been obvious to one of ordinary skill in the art to place the small bar magnet to the skin such that the direction of flow of a magnetic force of the magnet is the same or opposite as the direction of flow of the meridian system.

In order to support such unexpected results, Applicant is submitting an affidavit

under 37 C.F.R. § 1.132 as enclosed.

With regard to claims 2-6, Applicant submits that these claims would be in condition for allowance based on the limitations included in claim 1.

With regard to claims 8 and 9, Applicant submits that these claims would be in condition for allowance based on the limitations included in claim 7.

For at least the foregoing reasons, withdrawal of the rejection of claims 1-9 under 35 USC 103 is respectfully requested. In view of the foregoing remarks, Applicant respectfully request favorable reconsideration and early passage to issue of the present application.

Respectively submitted,

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